

DAVID L. PENNEY

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**FILED**

DEC 11 2006

SECRETARY, BOARD OF  
OIL, GAS & MINING

December 6, 2006

State of Utah  
Office of the Attorney General  
1594 West North Temple  
#300  
Salt Lake City, UT 84116  
Attn: Michael S. Johnson

RE: Possible appeal to Board of Oil, Gas, and Mining

Dear Mr. Johnson,

The matter that I am appealing is

- 1.) The final assessment of penalty of cessation orders (MC-05-04-05 MC-05-04-04, that have been terminated.)
- 2.) I am objecting to the issuance of any of the cessation orders.
- 3.) I am objecting the false accusations of my actions and my character.

My letter dated August 10, 2006, was my written appeal request to Oil, Gas and Mining. I will be sending an amended version of this appeal in a separate form to the Secretary.

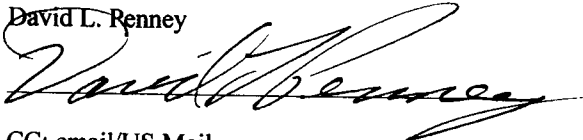
I find it appropriate to represent myself since all letters pertaining to these orders have been directed to David L. Penney (Natural Person). Therefore I have the choice of representation.

I am not happy about the checks that I requested to be held in escrow, which were enclosed in my Aug. 10 letter to have been deposited. I would like the money returned until this issue is resolved.

I would like to request an extension of time due to my yearly absence until May 2007. Please forward this response to anyone else that may need a copy.

Sincerely,

David L. Penney



CC: email/US Mail

Secretary for the Board of Oil, Gas, and Mining  
Mary Ann Wright

**RECEIVED**

DEC 11 2006

DIV. OF OIL, GAS & MINING

REQUEST FOR AGENCY ACTION

BEFORE THE BOARD OF OIL, GAS, AND MINING  
STATE OF UTAH

**FILED**

DEC 11 2006

SECRETARY, BOARD OF  
OIL, GAS & MINING

In the Matter of the  
Request for Agency  
Action of David L. Penney

Docket No. 2007-002

Cause No. S/027/024  
S/001/035

Certified # 7002 2410 0005 8248 3615  
RE: Amendment to Appeal (8/10/06)  
Date: Dec. 5, 2006

The matter that I am appealing is

- 1.) The final assessment of penalty of cessation orders (MC-05-04-05 MC-05-04-04, that have been terminated.)
- 2.) I am objecting to the issuance of any of the cessation orders.
- 3.) I am objecting the false accusations of my actions and my character.

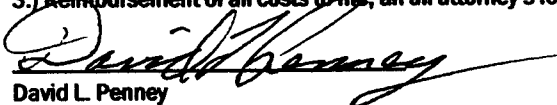
**Facts and Reasons:**

Ownership of the land and boundary lines of Silver 1-2 have not been recognized accurately by BLM or State. Earlier surveys has been used as accurate ownership boundaries prior to undue interference by DOGM. In response to Little Spot, I was given recommendation by DOGM official in Spring 2005 to reseed in the Fall 2005. In the Summer 2005 a cessation order was filed without just cause.

**Relief:**

I am seeking relief by:

- 1.) Annulment of the cessation orders brought against me and repair of my files.
- 2.) Reimbursement of fines and penalties charged to me.
- 3.) Reimbursement of all costs to me, an all attorney's fees if the agency continues



David L. Penney  
P.O. Box 312 Beaver, UT 84713  
435-438-5522

**Mailed to:**

Original + 14 copies  
Secretary for the Board of Oil, Gas, and Mining  
1594 West North Temple  
Suite 1210  
Salt Lake City, UT 84116

Cc:  
State of Utah  
Office of the Attorney General  
1594 West North Temple  
#300 SLC. UT 84116